

ORDINANCE NO. 20070621-130

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1304-1316 WEST 5th STREET AND 507 PRESSLER STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the combining district from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2007-0057 on file at the Neighborhood Planning and Zoning Department, as follows:

A 2.22 acre tract of land, more or less, being more particularly described as Lots 20 through 28, Outlot 1, Division Z, Woodland Addition, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 294, Page 1, Official Public Records of Travis County, Texas, and Lots 32 through 34, Block 1, Outlot 1, Division Z, Duval Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 1, Page 23, Official Public Records of Travis County, Texas (the "Property"),

locally known as 1304-1316 West 5th Street and 507 Pressler Street in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use*) as follows:

- A. The Property is exempt from the dimensional standards identified in Article 4.3.3.E.2 (*Dimensional and Parking Requirements*).
- B. The Property is subject to the parking reductions identified in Article 4.3.3.E.3 (*Dimensional and Parking Requirements*).

C. The Property is subject to Article 4.3.3.F.2.b (*Affordability Requirements*), by virtue of an agreement with the applicable neighborhood dated April 10, 2006, and a person may not use or occupy a vertical mixed use structure on the Property until satisfaction of the requirements of Article II (*Affordable Housing*) of the agreement.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 3. The Property is subject to Ordinance No. 020926-26 that established the Old West Austin neighborhood plan combining district.

PART 4. This ordinance takes effect on July 2, 2007.

PASSED AND APPROVED

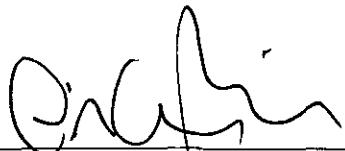
June 21, 2007

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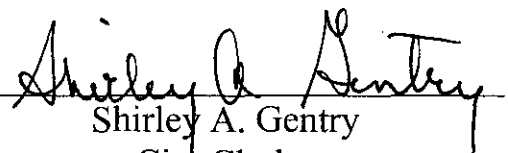
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

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